

PATENT

1645 \$
TKW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Henry J. WINDLE et al. Attorney Docket: P67635US0
Serial No.: 10/068,870 Group Art Unit: 1645
Filing Date: February 11, 2002 Examiner: Virginia Allen PORTNER

For: CLOSTRIDIUM DIFFICILE VACCINE

TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to the restriction and election of species requirements in the above captioned application.

XX Small Entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.

XX New drawing Figs. 4 - 11 are enclosed.

XX Amended Sequence Listing in paper copy and Sequence Listing in CRF on a diskette are enclosed.

The fee has been calculated as shown below:

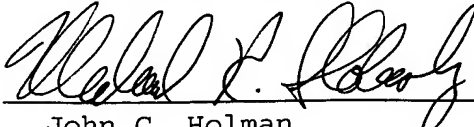
Claims	Highest	Present	Small Entity	Other Than A
Remaining	Number	Extra		Small Entity
After	Previously		Rate Addit. (or)	Rate Addit.
Amendment	Paid For		Fee	Fee
Total	66 - 66	= 0	x25 = \$	x 50 = \$
Indep.	23 - 24	= 0	x100 = \$	x 200 = \$
Second month extension fee			\$225.00	\$
Total Additional Fee			\$225.00	\$

XX Credit Card Payment Form in the amount of \$225.00 is attached for two-month extension fee.

XX If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is attached.

Dated: July 28 2005
400 Seventh Street, N. W.
Washington, D.C. 20004-2201
P67635US0
JCH/JC

JACOBSON HOLMAN, PLLC

By:  Reg # 26421501
John C. Holman
Reg. No. 22,769



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No.: 1371

Henry J. WINDLE et al.

Attorney Docket No.: P67635US0

Serial No. 10/068,870

Group Art Unit: 1645

Filed: February 11, 2002

Examiner: Virginia Allen PORTNER

For: CLOSTRIDIUM DIFFICILE VACCINE

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction and election of species requirements set forth in the Official Action mailed April 28, 2005, please amend the present invention as follows and consider the following remarks:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Drawings begin on page 7 of this paper and include attached replacement sheets for new Figs. 4 – 11.

Amendments to the Claims are reflected in the listing of claims which begins on page 8 of this paper.

Remarks begin on page 17 of this paper.

An **Appendix** including amended drawing figures, amended Sequence Listing in paper copy and Sequence Listing in CRF on a diskette is attached following page 20 of this paper.